

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

GREGORY G. GRANT,

Plaintiff,

v.

NEVADA DISABILITY ADVOCACY AND
LAW CENTER,

Defendant.

2:14-cv-1640-JCM-CWH

ORDER

I. DISCUSSION

Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections (“NDOC”), has filed a motion requesting appointment of a guardian ad litem but has not filed a complaint or an application to proceed *in forma pauperis* in this matter. (See ECF No. 1).

Pursuant to Federal Rule of Civil Procedure 3, “[a] civil action is commenced by filing a complaint with the court.” Fed. R. Civ. P. 3. As such, the Court grants Plaintiff thirty (30) days from the date of this order to submit a complaint to this Court.

Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff has not submitted an *in forma pauperis* application. Plaintiff will be granted an opportunity to file an application to proceed *in forma pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file an application to proceed *in forma pauperis* he must file a fully complete application to proceed *in forma pauperis*.

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1 **II. CONCLUSION**

2 For the foregoing reasons, IT IS ORDERED that Plaintiff shall submit a complaint to this
3 Court within thirty (30) days of the date of this order.

4 IT IS FURTHER ORDERED that the Clerk of the Court shall send to Plaintiff the
5 approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same.

6 IT IS FURTHER ORDERED that the Clerk of the Court shall send Plaintiff the approved
7 form application to proceed *in forma pauperis* by a prisoner, as well as the document entitled
8 information and instructions for filing an *in forma pauperis* application.

9 IT IS FURTHER ORDERED that within thirty (30) days from the date of this order,
10 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on the
11 correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or
12 (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50
13 administrative fee).

14 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
15 dismissal of this action may result.

16 IT IS FURTHER ORDERED that a decision on the motion for an appointment for a
17 guardian ad litem (ECF No. 1) is deferred until the matters of the payment of the filing fee and
18 complaint are resolved.

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20 DATED: This 16th day of October, 2014.

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23 United States Magistrate Judge
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